

Remarks

Claims 1, 18-20, 22, 24, 25, and 33 were pending in the subject application. By this Amendment, claim 25 has have been amended and new claims 35 and 36 have been added. The undersigned avers that no new matter is introduced by this amendment. Support for the new claims and amendments can be found throughout the subject specification and in the claims as originally filed. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 1, 18-20, 22, 24, 25, 33, 35, and 36 are currently before the Examiner for consideration. Favorable consideration of the pending claims is respectfully requested.

Submitted herewith is a Request for Continued Examination (RCE) under 37 CFR §1.114 for the subject application.

Submitted herewith is a supplemental Information Disclosure Statement (IDS), accompanied by the form PTO/SB/08 and copies of the references listed therein. Applicants respectfully request that the references listed on the form PTO/SB/08 be considered and made of record in the subject application.

By this Amendment, claim 25 has been amended for clarity. Support for the amendment to claim 25 can be found, for example, in paragraph [0012] at page 5 of the specification. By this Amendment, claims 35 and 36 have been added. Support for claims 35 and 36 can be found, for example, in paragraph [0038] at page 8 of the specification.

Claims 1, 18-20, 22, 24, 25 and 33 are provisionally rejected under the judicially created doctrine of “obviousness-type” double patenting over claims 38-44, 74-76, 90, and 94 of copending U.S. Patent Application No. 09/955,174 in view of Fire *et al.* (U.S. Patent No. 6,506,559) and Patchen *et al.* (U.S. Patent No. 6,117,850). Applicants respectfully assert that the claims are not obvious over the cited patent. However, in order to expedite prosecution of the subject application, Applicants have submitted a Terminal Disclaimer with this Amendment which obviates this rejection. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of Applicants' agreement with or acquiescence in the Examiner's position.

In view of the foregoing remarks and amendments to the claims, Applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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Attachment: Request for Continued Examination
Terminal Disclaimer
Supplemental Information Disclosure Sheet